

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
:
DONAHUE FIELDS, ::
Plaintiff, ::
-against- ::
2234 EAST SIDE DELI INC., *et al.*, ::
Defendants. :

24-CV-9211 (VSB)

ORDER-----X
VERNON S. BRODERICK, United States District Judge:

Plaintiff filed his complaint on December 3, 2024, (Doc. 1), and affidavits of service on December 13, 2024 (Docs. 7–8). On January 10, 2025, I ordered Plaintiff to seek default judgment if he intends to do so, and that failure to do so may result in dismissal of this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). (Doc. 9.) I later granted two of Plaintiff’s extension requests. (Docs. 11, 13.) On May 1, 2025, I ordered Plaintiff to seek default judgment by no later than May 15, 2025 and warned, again, that failure to do so may result in dismissal of the case for failure to prosecute. (Doc. 14.) On May 16, 2025, one day after the May 15 deadline, Plaintiff requested yet another extension of time. (Doc. 15.) That same day, I granted the extension request, stated that this would be “the last extension request granted,” and “warned for the final time that further untimely filings will result in dismissal of this action.” (Doc. 16.) I also granted Plaintiff’s request for alternative service and directed Plaintiff to file an affidavit of service by May 21, 2025. Plaintiff has failed to do so, and Plaintiff’s counsel has repeatedly missed deadlines.

Accordingly, Plaintiff’s claims are dismissed without prejudice pursuant to Rule 41(b). The Clerk of Court is respectfully directed to terminate this action.

SO ORDERED.

Dated: June 18, 2025
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick", written over a horizontal line.

VERNON S. BRODERICK
United States District Judge